



United States  
General Accounting Office  
Washington, D.C. 20548

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Office of the General Counsel

**Matter of:** Realty Services, Inc.

**File:** B-262236; B-262237

**Date:** December 6, 1995

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**DECISION**

Realty Services, Inc. protests the award of a contract to CitiWest Properties, Inc. under request for proposals Nos. H02R95064000000; H02R95064100000, issued by the Department of Housing and Urban Development for real estate asset management services.

We dismiss this protest on the basis that the protester is not an interested party.

Under the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988), only an "interested party" may protest a federal procurement. That is, a protester must be an actual or prospective supplier whose direct economic interest would be affected by the award of a contract or the failure to award a contract. 4 C.F.R. § 21.0(a) (1995). Determining whether a party is interested involves consideration of a variety of factors, including the nature of issues raised, the benefit of relief sought by the protester, and the party's status in relation to the procurement. Black Hills Refuse Serv., 67 Comp. Gen. 261 (1988), 88-1 CPD ¶ 151. A protester is not an interested party where it would not be in line for contract award were its protest to be sustained. ECS Composites, Inc., B-235849.2, Jan. 3, 1990, 90-1 CPD ¶ 7. Since there has been no credible challenge to the eligibility for award of the intervening bidders or offerors who would precede the protester in eligibility under this solicitation, the protester lacks the direct economic interest required to maintain a protest.

Comptroller General  
of the United States

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